

UNITED STATES DISTRICT COURT

for the

Southern District of Georgia
Statesboro Division

2008 JUN 23 PM 12: 25

United States of America

v.

Darvis Small

Date of Previous Judgment: December 7, 2005
(Use Date of Last Amended Judgment if Applicable)

) Case No: CR604-00014-001
) USM No: 11983-021
) Charles W. Cook
) Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 110 months is reduced to 97 months.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 29 Amended Offense Level: 27
Criminal History Category: II Criminal History Category: II
Previous Guideline Range: 97 to 121 months Amended Guideline Range: 78 to 97 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☒ The reduced sentence is within the amended guideline range.
☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
☐ Other (explain):

III. ADDITIONAL COMMENTS

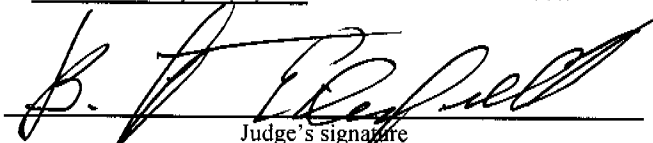
If this sentence is less than the amount of time the defendant has already served, the sentence is reduced to a "Time Served" sentence.

Except as provided above, all provisions of the judgment dated December 7, 2005, shall remain in effect.

IT IS SO ORDERED.

Order Date: June 23, 2008

Effective Date: _____
(if different from order date)


Judge's signature

B. Avant Edenfield
United States District Judge
For the Southern District of Georgia
Printed name and title